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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. 3:22-CR-390-RS AND 3:22-CR-443-RS
Plaintiff,	)	STIPULATION AND ORDER TO CONTINUE
v.	)	MATTER AND EXCLUDE TIME FROM
	)	MARCH 5, 2024 TO APRIL 2, 2024
HEVER SUAREZ,	)	
Defendant.	)	

It is hereby stipulated by and between counsel for the United States and counsel for the defendant Hever Suarez, that the status conference set for these matters on March 5, 2024 be continued to April 2, 2024. Additionally, it is hereby stipulated by and between counsel for the United States and counsel for the defendant Hever Suarez that time be excluded, under the Speedy Trial Act, from March 5, 2024 through April 2, 2024.

An in court status hearing was last held in these cases on November 21, 2023. *See* Dkt. 140. At that hearing, the Court granted the parties' joint request to continue the cases to January 23, 2024 at 2:30 p.m. Through stipulation, because of the parties' unavailability and need for more time, the Court then agreed to move the Court's status conference to March 5, 2024. As the parties discussed at the

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TIME FROM MARCH 5, 2024 TO APRIL 2, 2024 [Case Nos. 22-cr-390-RS & 22-CR-443-RS]

1 November 21 hearing, and in the previous stipulation, this case involves a substantial amount of  
2 discovery. The government has finalized producing all of the discovery to defense counsel and provided  
3 a draft plea agreement. As a result, defense counsel needs time to review all of the discovery, which is  
4 voluminous, and confer with Mr. Suarez about case outcomes.

5 Additionally, the parties are finalizing the terms of a resolution and anticipate the next court date  
6 will be for a change of plea. The parties are therefore requesting that the Court move the status  
7 conference in these matters to April 2, 2024.

8 Finally, as noted above, the parties believe that time should be excluded to April 2, 2024 for  
9 effective preparation of counsel. More specifically, the parties stipulate and agree that the time between  
10 March 5, 2024 through and including April 2, 2024 will allow for the effective preparation of counsel.  
11 *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served  
12 by excluding the time from March 5, 2024 through April 2, 2024, from computation under the Speedy  
13 Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §  
14 3161(h)(7)(A), (B)(iv).

15 The undersigned Assistant United States Attorney certifies that he has obtained approval from  
16 counsel for the defendant to file this stipulation and proposed order.

17  
18 IT IS SO STIPULATED.

19  
20 DATED: March 1, 2024

\_\_\_\_\_  
/s/  
CHARLIE BISESTO  
Assistant United States Attorney

21  
22 DATED: March 1, 2024

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/s/  
EDWIN PRATHER  
Counsel for Defendant Hever Suarez

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**ORDER**

Based upon the facts set forth in the stipulation of the parties, and for good cause shown, the Court finds that the status conference in these matters should be continued to April 2, 2024. The Court further finds that failing to exclude the time from March 5, 2024 through April 2, 2024 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from March 5, 2024 through April 2, 2024 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the matter be continued to April 2, 2024 at 9:30 a.m. and the time from March 5, 2024, through April 2, 2024 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: 3/1/2024

  
HON. RICHARD SEEBORG  
United States Chief District Judge